

United States District Court  
District of New Hampshire

United States of America } Case No. 19-CR-00251-LM  
v. }  
Johnathan E. Irish }

14 day Motion For New Trial Due To  
Ineffective Assistance of Counsel

FILED  
2020 FEB 25 AM 10:46  
U.S. DISTRICT COURT  
DISTRICT OF NH

Now comes Mr. Irish Pro Se, with a motion for new trial due to ineffective assistance of counsel at trial, Mr. Irish presents the following facts to be true and accurate to the best his knowledge and affirms that; *Re: Ortiz-Vega v. U.S.A. 1st Cir. et*

1) On 18 Dec, 2019 Mr. Irish was indicted on ONE count of Felon In Possession of Firearms, alleging that on or about 26 Dec. 2018 to on or about ~~27~~ Nov. 2019 Mr. Irish allegedly possessed ONE Sig Sauer 1911, ONE Sig Sauer AR style rifle, ONE Catamount Pump shotgun. Mr. Irish was subsequently arrested on 20 Dec. 2019 on the above named indictment and warrant, at which time Attorney Benjamin Falkner was appointed by this honorable court to represent Mr. Irish in this matter.

This matter proceeded to trial 10 February, 2020 - 12 February 2020 at which Mr. Irish affirms that he was NOT represented fairly, adequately or justly by Attorney Falkner for the following reasons,

2) Upon and after Mr. Irish's MULTITUDE of requests and orders to call and subpoena various witnesses whom would testify to various things which would have proven beneficial and exculpatory to Mr. Irish and his defense, Attorney Falkner continuously REFUSED to do so causing Mr. Irish's defense to ONLY rely on refuting the Governments witnesses and Physical evidence, Attorney Falkner's refusal to call specific witnesses not only made it nearly impossible to dispute the physical evidence and witness testimony, but made it impossible to present specific evidence which would have been exculpatory to Mr. Irish's defense.

3) Even when the opportunities arose at trial, to completely impeach the Governments witnesses, and their testimonies on the record during trial due to the due to completely different testimony under oath, compared to what was said in the witnesses F.B.I. Interviews which were the interviews and information used to bring an indictment forward against Mr. Irish, Attorney Falkner refused to do so.

4) Even after Mr. Irish's MULTITUDE of requests and orders NOT to object to specific evidence the Government wanted to submit (which was in fact more EXculpatory to Mr. Irish than INculpatory) Attorney Falkner did in fact object in turn causing said evidence to not be allowed to be submitted at trial.

5) Attorney Falkner's actions and refusals as pre-mentioned, being ineffective assistance of counsel, caused Mr. Irish to have NO witness testimony and NO physical evidence for Mr. Irish's defense, ultimately causing Mr. Irish to be found guilty, Mr. Irish truly feels that there would have been a completely different outcome, a NOT Guilty verdict had his witnesses been called as he, Mr. Irish had requested and ordered Attorney Falkner to do.

#### Relief Sought:

Mr. Irish respectfully requests that this honorable court holds a prompt hearing in this matter as to outline in specific detail the matter of ineffective assistance of counsel, and that after this honorable court hears the details that the following actions be taken:

1) This honorable court schedules a NEW trial in a prompt fashion without delay,

2) That this honorable court grant Mr. Irish NEW Competent, adequate and effective counsel,

3) That this honorable court considers Mr. Irish's request for specific counsel whom is a member of this honorable court's B.A.R. and whom has a very positive reputation, specifically in fire arm matters.



4) Any other relief that this honorable court sees  
just and proper.

Johnathon Irish

Pro-se

20 February, 2020

I, Johnathon S. Irish hereby certify that I have  
sent duplicates of this document via us mail to  
Attorney Anna Krazinski M.H. A.U.S.A., as well as  
Attorney Benjamin Falkner 22 February, 2020

Johnathon Irish

Under penalties and perjuries of law, Mr. Irish  
hereby certifies that this motion was sent via us  
mail to the N.H. District Federal Court, AUSA,  
Anne Krasinski and Attorney Falkner on this date  
of 20 February, 2020

Johnathon Clark  
Prose

20 February, 2020

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Legal



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